

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO**

UNITED STATES OF AMERICA,

vs.

Case No.: 99CR196-02 (CCC)

IRVIN FIGUEROA

T/N: Irvin Osvaldo Figueroa-Benitez

MOTION REQUESTING MODIFICATION OF CONDITIONS

TO THE HONORABLE CARMEN CONSUELO CEREZO
U.S. DISTRICT JUDGE
DISTRICT OF PUERTO RICO

COMES NOW, MIRIAM FIGUEROA, U.S. PROBATION OFFICER of this Court,
presenting an official report on the conduct and attitude of releasee, Irvin Osvaldo Figueroa-Benítez, who on December 17, 2001, was sentenced to twenty-one (21) months of imprisonment as to counts one and three, said terms to be served concurrently with each other, in the District of Puerto Rico after pleading guilty of violating Title 21, U.S. Code, Sections 846, to be followed by a four (4) year supervised release term. A special monetary assessment in the amount of \$200.00 was imposed. As a special condition the offender was ordered to engage in a substance abuse treatment program. On June 5, 2003, Mr. Figueroa reported to the U.S. Probation Office after his release.

**RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR
CAUSE AS FOLLOWS:**

On August 25, 2004, offender was referred to Clínica de Tratamiento Psicoterapéutico for individual and group counseling. However, during the past four months he has portrayed an

aggressive and hostile behavior. Given the aforementioned, offender's supervised release conditions needs to be modify to include mental health in order to receive the services of a psychiatrist. The offender agreed with the modification of his conditions and signed the attached Waiver of Hearing to Modify Conditions of Supervised Release.

WHEREFORE, in lieu of the aforementioned, unless ruled otherwise, it is respectfully requested that the Court modify Mr. Figueroa's conditions of supervision to include mental health services.

In San Juan, Puerto Rico, this 12th day of May 2005.

Respectfully submitted,

EUSTAQUIO BABILONIA, CHIEF
U.S. PROBATION OFFICER

s/Miriam Figueroa
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CERTIFICATE OF SERVICE

I HEREBY certify that on May 12, 2005, I electronically filed the foregoing motion with the Clerk of the Court using the CM/ECF system and I hereby certify that I have mailed by United States Postal Service the document to the following non CM/ECF participants: Desiree Laborde, Assistant U.S. Attorney, U.S. Attorney's Office, Chardón Tower, Suite 1201, 350 Carlos Chardón Street, San Juan, P.R. 00918 and Francisco Acevedo, Esq., Edificio Asociación de Maestros, Suite 603, 452 Ponce de Leon Avenue, Hato Rey, Puerto Rico 00918.

At San Juan, Puerto Rico, May 12, 2004.

s/Miriam Figueroa
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